

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:11CR14

ROBERT JAMES TAYLOR,  
Defendant.

**ORDER/OPINION GRANTING GOVERNMENT'S MOTION TO DETAIN**

On the 10<sup>th</sup> day of May 2011, came the United States by Stephen D. Warner, its Assistant United States Attorney, and also came the defendant, Robert James Taylor, in person and by his counsel, Brian J. Kornbrath, for hearing on the motion of the United States to detain the defendant pending trial. The government contends this case is eligible for detention because it involves a serious risk Defendant will flee and serious risk of obstruction of justice. The Government further contends the court should detain Defendant because there are no conditions of release which will reasonably assure Defendant's appearance as required, and the safety of any other person and the community.

Prior to hearing evidence regarding the motion, Defendant, through counsel, advised that he is currently in State custody and would not be released even if released by this Court, and that he therefore did not contest the motion to detain at this time. He requested he be allowed to revisit the issue should his circumstances change. The Court will allow Defendant to raise the issue of detention or release at a later date should circumstances warrant.

The United States' Motion to Detain is **GRANTED**. It is therefore

**ORDERED THAT:**

1. The defendant be, and he is hereby remanded to the custody of the United States Marshal pending further proceedings in this case;

2. The defendant be confined in a facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

3. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel;

4. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding; and

5. The Clerk shall direct copies of this order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Probation Officer.

DATED this 12<sup>th</sup> day of May, 2011.

*John S. Kaull*

JOHN S. KAULL

UNITED STATES MAGISTRATE JUDGE